



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3406 FAX (603) 271-7894



October 13, 2003
Letter of Deficiency
DSP #03-050

Mr. Nel Benett
100 Autumn Drive
Tilton, NH 03276

RE: Fleishhacker Lower Dam #237.16, Tilton

Dear Bennett

The Department of Environmental Services, Dam Bureau (DES) consistently strives to enhance the safety of dams in New Hampshire through its dam safety program. One of the many instruments that play a part in reaching this goal is our inspection program. DES is forwarding this correspondence to you to advise you that in accordance with RSA 482:12 and Env-Wr 502.02, an inspection of the subject dam was conducted on May 19, 2003. During this visual inspection and/or file review, the following deficiencies were observed:

- The entire dam is covered with trees and brush;
- 2 The main outlet is clogged with beaver debris;
- 3 The emergency spillway is overrun with beaver debris; and
- 4 There is no operation and maintenance plan (O&M) on file with the DES

DES believes that the above deficiencies can be corrected by performing the following items by the indicated schedule:

December 15, 2003:

1. Removal all trees and brush from the dam and within 15 feet of the downstream toe of the dam, including from the upstream and downstream slopes, and the dam crest;
2. Remove all beaver debris from the main outlet and check to see that the main outlet is in working order. If the main outlet is in need of repair, please contact our office to discuss repair options and to verify if a dam reconstruction permit is needed;
3. Remove all beaver debris from the emergency spillway; and
4. Prepare and submit to the DES a written O&M plan. The plan should describe the control of impoundment levels, monitoring and maintenance procedures, and identify emergency contact personnel.

DES is notifying you that upon completion of the identified deficiencies and as more of the dam becomes available for inspection, additional work may be recommended.

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As the result of the most recent hydraulic analysis, which was completed as part of the scheduled inspection, DES has reclassified the dam from a non-hazardous AA to a low hazard A dam. The change in hazard classification is based on the possible damage to property and or roads that are located downstream. Our analysis indicated that there is a property and road located downstream. As a result of the change in hazard classification there will be an annual dam registration fee applied in the amount of \$100. The inspection schedule will remain on a six-year rotation. The next scheduled inspection is in 2009.

DES is requesting that you complete and submit the attached "Intent to Complete Repairs" form, within 30 days of receipt of this letter, that will provide for correction of the identified deficiencies by the date(s) indicated above. Please call or write to our office if the repairs are completed ahead of the aforementioned schedule so that DES may schedule a follow-up inspection. Unless notified otherwise, DES will conduct the follow-up inspection on or after the date(s) indicated above. If you believe changes to the items of work or dates are necessary, please make the changes directly on the form and provide a brief explanation. Please call or write to our office if the repairs are completed before the aforementioned schedule. We have enclosed a self addressed stamped envelope for you to return this form.

Our intent in sending you this correspondence is to make you aware of items that DES believes warrant your attention to insure the continued safe operation of your dam. It is our hope that, through the submittal of the attached form and a commitment to keeping a well-maintained dam, you will voluntarily comply with the requested items of work. If we do not receive the intent form or a similarly adequate written reply, we will assume that you are in agreement with our findings and recommendations and DES will carry out follow-up inspections accordingly.

If you have any questions or comments regarding this Letter of Deficiency or would like to be present at future inspections, please contact me at 271-3406, or write to the Water Division at 29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095.

Sincerely,


COPY
Steve N. Doyon, P.E.
Administrator

Attachments Guideline for an O&M plan, DB8, DB13
cc: Gretchen Rule

Town of Tilton, Alice McKinnon, Administrator
Certified # 1000 1670 0000 0586 2558
SND/ACC/was/h/safety/wendy/lod/237-16lod.doc